



MANITOWOC PUBLIC UTILITIES

1303 South 8th Street P.O. Box 1090 Manitowoc, WI 54221-1090 920-683-4600 FAX 920-686-4348 www.mpu.org

Via E-Mail at smith.molly@epa.gov cantello.nicole@epa.gov and R5enforcement@epa.gov
and First Class Mail

April 17, 2015

Air Enforcement and Compliance Assurance Branch
U.S. Environmental Protection Agency, Region 5
Attention: Ms. Molly Smith, AE-17J
77 West Jackson Boulevard
Chicago, Illinois 60604

RE: Request to Provide Information Pursuant to the Clean Air Act Dated March 13, 2015

Dear Ms. Smith:

On March 19, 2015, Manitowoc Public Utilities (MPU) received a document from Region 5 of the Environmental Protection Agency (EPA) entitled "Request to Provide Information Pursuant to the Clean Air Act" (Request). The Request is submitted pursuant to 42 USC § 7414(a) and for the stated purpose of determining whether MPU's emission sources are complying with the Wisconsin State Implementation Plan, requirements of MPU's Operating Permit Number 4360035930-P23, and the Clean Air Act.

This document responds to Request Nos. 2 through 16 in Appendix B. By letter dated March 27, 2015, MPU provided EPA with the certification requested by Appendix B, request No. 1. By e-mail dated April 14, 2015, EPA Attorney Nicole Cantello granted MPU an extension until May 19, 2015 for responding to the remaining Requests, Nos. 17 through 36.

This response is divided into three sections. It begins with a brief overview of MPU. Section II contains general objections to the Request. Section III provides narrative responses and objections to the specific requests for information. Documents and data responsive to the Request are enclosed on a Compact Disc¹ and have been Bates Numbered MPU00001 through MPU05218. MPU has prepared and provided a Table of Contents for these documents and data.

I. Overview of Manitowoc Public Utilities

¹ The sheer volume of documents responsive to the Request made it difficult to supply these materials via e-mail. On March 27, 2015, MPU contacted Molly Smith who confirmed submittal of the documents by mail, on a compact disc, was acceptable.

The origins of MPU date back to 1889, when the city's forward-thinking aldermen solicited bids for furnishing electric lighting in the City of Manitowoc, Wisconsin. The electric plant, with its first steam turbine-generator, had a capacity of 810 kilowatts and served approximately 2,000 customers. MPU continually added electricity-producing capabilities to keep pace with growing community demands. Today, MPU's capacity stands at 118.3 megawatts.²

MPU is a municipal utility with less than 85 employees, located in a community with a population of less than 35,000. As a non-profit organization, MPU's mission is dedicated to providing customer focused utility services at reasonable rates. Unlike strictly private enterprises, MPU is able to focus on the needs of its community and roughly 17,880 customers - without the influence and profit motives of outside investors. As a result, the families and businesses of Manitowoc benefit directly from some of the lowest utility rates in the nation. Because of the vision of early entrepreneurs, dedicated city leaders, and an ongoing team of conscientious, community-minded utility employees, MPU stands poised to continue its mission and to be an integral and essential component in the economic development of the community.

II. General Objections to the Request

MPU has made a diligent, good faith effort to provide documents and information which could reasonably be collected and prepared for production within the time frame allotted for this response. Despite these good faith efforts, MPU notes for the record several general objections to the form and content of the Request, as well as the limited amount of time provided for preparing and compiling the requested information. MPU reserves its right to provide additional information in response to the Request at a later date if necessary or otherwise appropriate.

MPU objects to the Request on the grounds that it exceeds EPA authority and is not otherwise authorized by law. Further, the Request is ambiguous, vague and unclear concerning its scope and definitions, requires that legal conclusions be made by MPU, seeks to have MPU create reports and data that are not kept in the ordinary course of business, seeks information that is overly burdensome to compile and which has no reasonable investigative value, seeks to have MPU create records and data which are not otherwise required to be kept pursuant to the terms of the CAA or the Wisconsin State Implementation Plan, and is otherwise unreasonable, therefore exceeding EPA's authority.

MPU also objects to the Request to the extent that it may attempt to create a mandatory duty to supplement this response since such attempts would exceed EPA's authority under the authorities cited in the Request.

MPU objects to the Request to the extent that it may ask for information that is subject to attorney-client privilege or other applicable privileges, or which otherwise constitutes protected attorney work product. Such documents, to the extent they exist, have not been produced.

² MPU is considered a "small entity" for purposes of the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act (RFA).

MPU objects to the request for failing to comply with the Paperwork Reduction Act, as amended by the Small Business Paperwork Relief Act. The Request also circumvents EPA's obligations under the Administrative Procedures Act and the Regulatory Flexibility Act, as amended by the Small Business Regulatory Enforcement Fairness Act. The Request is therefore *ultra vires* and invalid. On this point, the Request does not seek information as part of a discreet administrative action or investigation of MPU as is asserted by EPA within the Request. The Request does not seek information that is reasonably related to determining MPU's compliance with enforceable requirements in the Wisconsin State Implementation Plan, MPU's Operating Permit Number 4360035930-P23, and the Clean Air Act. Rather, upon information and belief the Request is a collection of information directed at more than 10 businesses within a single industry class/category and seeks information that for purposes of disclosure to the public or the public at large.³

MPU objects to the Request to the extent it seeks information already in the possession of the EPA and its duly authorized implementation/enforcement agency the Wisconsin Department of Natural Resources ("WDNR"). MPU further objects to the Request to the extent it seeks information already in the public domain. Such information, to the extent it exists, is incorporated into this response by reference.

Where the Request is vague, ambiguous, or overbroad, MPU has nonetheless undertaken a good faith and reasonable effort to provide responsive information to the best of its ability to interpret the Request. Yet, by responding to the Request, MPU is not conceding that its answers or other responsive material are relevant or otherwise admissible under any state or federal rules of evidence. In addition, MPU is not waiving its objections and is not waiving any defenses to any allegations which might be raised by EPA, WDNR, other regulatory bodies or any other entity purporting to enforce the terms of the CAA, an air permit or authorization issued to MPU, or the Wisconsin State Implementation Plan.

III. Responses to Individual Requests

This section contains separate responses and objections to Requests 1 through 16 set forth in Section B of the Request. The text of each request is repeated herein, followed by MPU's response. Documents produced in response to the Request have been Bates Numbered. Each response identifies those documents, if any, that are responsive to that request and the individuals consulted in responding to each request.

As mentioned, MPU has undertaken its best efforts to reasonably interpret vague and ambiguous terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. For some requests, MPU has made certain assumptions as to the meaning of terms but not all of these assumptions are discussed herein.

³ The Request appears to be Region 5's effort to implement the directives set forth in a memorandum dated January 7, 2015 from Cynthia Giles to EPA Regional staff entitled "Use of Next Generation Compliance Tools in Civil Enforcement Settlements." This memo directs Regions to use EPA's enforcement authority to advance "tools" including the type of fence line monitoring that is demanded by Request Nos. 17 through 36, and then publically disseminating the gathered data.

1. *Within 10 days of receipt of this request, MPU shall submit a written certification of its intent to comply with this request. MPU shall submit the certification to smith.molly@epa.gov , cantello.nicole@epa.gov , and R5enforcement@epa.gov.*

Response to Question No. 1:

MPU objects to Request No. 1 on the grounds that it is overbroad, ambiguous and beyond EPA's authority. Among other things, Request No. 1 fails to define "written certification" and "intent to comply." Request No. 1 also requests that MPU certify its future intent to fulfill the directives set forth in the Request which exceeds EPA authority as defined by 42 U.S.C. § 7414(a)(3). Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. With these qualifications, MPU responded to this request by letter and e-mail dated March 27, 2015 addressed to Molly Smith..

2. *Provide the following information for the time period of January 1, 2013 to January 1, 2015:*
 - a. *Every bulk solid material handled;*
 - b. *The annual tonnage throughput for each bulk solid material;*
 - c. *The handling methods used to receive, store, and ship each bulk solid material;*
 - d. *Identify which bulk solid materials are screened and/or crushed;*
 - e. *Identify any dust controls used to minimize emissions from stockpiles for each bulk solid material, such as dust suppressants or tarp covers; and*
 - f. *The maximum onsite storage for each bulk solid material.*

Response to Question No. 2:

MPU objects to Request No. 2 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 2 fails to define "bulk solid material handled," "annual tonnage," "handling methods," "throughput," "screened," "crushed," "dust controls," "minimize emissions," "stockpiles," "dust suppressants," "tarp covers," and "maximum onsite storage". Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

Response to Question No. 2 a., b., and f.:

Bulk Solid Material (a)	2013 Tonnage (b)	2014 Tonnage (b)	Maximum Stored (f) [=] tons
Petroleum Coke	31,909	43,795	24,259
Coal	8,172	11,114	1,467
Limestone	14,643	22,921	1,122

Paper Pellets	28,682	31,088	300
Charcoal	2,171	3,518	20
Boiler Ash	16,142	25,286	900

Response to Question No. 2 c.:

Petroleum coke is delivered by rail or truck to the site. The product is stacked if delivered by rail and staged next to the storage pile if delivered by truck. A loader is used to transfer coke to the crusher inlet hopper on an as needed basis.

Coal is delivered daily to the site and staged. A loader is used to transfer coal to the crusher inlet hopper on an as needed basis. Limestone is delivered by tanker truck on an as needed basis. The material is pneumatically conveyed to the boiler limestone storage silos. Paper pellets are delivered daily to the site and staged. A loader is used to transfer paper pellets to a conveyor belt loading hopper on an as needed basis. Charcoal is delivered by truck and mixed with the petroleum coke upon delivery. Boiler ash is unloaded from the ash silos into tanker trucks and hauled off-site for beneficial use or disposal.

Response to Question No. 2 d.:

No bulk solids materials are screened. Coke, coal, paper pellets, and charcoal do pass through grates before entering the loading process. Coal and charcoal are mixed with petroleum coke and the mixture is crushed during the bunker loading process.

Response to Question No. 2 e.:

Barrier walls, visual inspection, chemical dust suppressants and water cannons are used to minimize emissions of exterior stored materials. MPU follows a Fugitive Dust Control Plan which prescribes these measures.⁴ The fuel, limestone, paper pellet and boiler ash bunkers are covered and equipped with bin vent filter systems.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 2: Tom Reed, Red Jones, and Brian Fassbender.

3. *Provide copies of all documentation relating to any stack testing, internal audits, emissions test runs, emissions characterizations, visible emission testing, or emissions studies, conducted or attempted at the facility for the period of January 1, 2010 to January 1, 2015 (i.e. stack tests, emission studies conducted on the plant or on specific production processes).*

Response to Question No. 3:

MPU objects to Request No. 3 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives.

⁴ The Fugitive Dust Plan is being produced in response to Request #13 (MPU04991 through MPU05006).

Among other things, Request No. 3 fails to define “all documentation,” “stack testing,” “internal audits,” “emissions test runs,” “emissions characterizations,” “visible emission testing,” “emissions studies,” “conducted,” “attempted,” “facility,” and “production processes”. Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU’s internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

Documents and other information responsive to Request No. 3 are enclosed and designated with Bates Nos. MPU00001 through MPU02767 included in the electronic Question 3 folder submittal (however, documents produced in response to other requests may also be responsive to this request).

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 3: Tom Reed, Red Jones, and Tim Harding.

4. *Provide copies of your Operating Permit Number 436035930-P23 annual compliance certifications, semiannual compliance certifications, and deviation reports from January 1, 2010 to January 1, 2015.*

Response to Question No. 4:

MPU objects to Request No. 4 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA’s delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 4 fails to define “annual compliance certifications,” “semiannual compliance certifications,” and “deviation reports.” Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU’s internal practices and standard industry usage. Note that the MPU operating permit requires the submission of annual compliance certifications to EPA Region 5 and therefore EPA already has some of the requested information in its possession.

Documents and other information responsive to Request No. 4 are enclosed and designated with Bates Nos. MPU02768 through MPU04968 included in the electronic Question 4 folder submittal (however, documents produced in response to other requests may also be responsive to this request).

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 4: Tom Reed, Red Jones, and Tim Harding.

5. *For Process P28/S10, the Diesel Engine, referenced in Permit Number 436035930-P23, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format when applicable:*

- a. *Provide continuous opacity monitor (COM) measurements (opacity per minute);*
- b. *Provide the monthly total amount of fuel oil (gallons) combusted; and*
- c. *Provide the monthly hours of operation.*

Response to Question No. 5:

MPU objects to Request No. 5 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 5 fails to define "continuous opacity monitor (COM) measurements" and "opacity per minute." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

The MPU operating permit requires the operation of a COM to provide 6-minute average opacity readings. MPU has provided the six minute average data as required by the permit with our understanding this is the information EPA is requesting. The remaining information is as follows:

Month and Year	Gallons of Fuel Oil	Hours of Operation
January, 2013	170	1.0
August, 2013	80	1.7
August, 2014	160	1.75
September, 2014	310	6.1

Note: Fuel oil data is from the day tank fuel oil supply metering system.

Documents and other information responsive to Request No. 5 are enclosed and designated with Bates Nos. 04969 through 04972 included in the electronic Question 5 folder submittal (however, documents produced in response to other requests may also be responsive to this request).

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 5: Tom Reed, Red Jones, and Tim Harding.

6. *For Process P28/S10, the Diesel Engine, provide copies of all notifications required by 40 C.F.R. § 63.6645 and all reports required by 40 C.F.R. § 63.6650.*

Response to Question No. 6:

MPU objects to Request No. 6 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for

implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 6 fails to define “all notifications” and “all reports.” Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU’s internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

The P28 dual fuel diesel generator was removed from the MISO model as a generator effective March 1, 2013. The unit is available for MISO to call up under emergency conditions only. The requirements of 40 C.F.R. § 63.6645 and all reports required by 40 C.F.R. § 63.6650 are therefore not applicable at this time as specified in the operating permit. The applicable requirements are found in 40 C.F.R. § 63.6600.

Documents and other information responsive to Request No. 6 are enclosed and designated with Bates Nos. MPU04973 through MPU04976 included in the electronic Question 6 folder submittal (however, documents produced in response to other requests may also be responsive to this request).

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 6: Tom Reed and Red Jones.

7. *For Process B09/C09/S10, the Circulating Fluidized Bed Boiler #9, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format:*
 - a. *Provide CEMS data for the following pollutants, when applicable:*
 - i. *Sulfur dioxide (SO₂) (pounds per million BTU heat input);*
 - ii. *SO₂ (tons per month);*
 - iii. *Nitrogen oxide (NO_x) (pounds per million BTU heat input);*
 - iv. *Carbon monoxide (CO) (pounds per hour);*
 - v. *CO (pounds per million BTU); and*
 - vi. *CO (tons per month).*

Response to Question No. 7:

MPU objects to Request No. 7 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA’s delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 7 fails to define “when applicable” and “CEMS data.” Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU’s internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

Documents and other information responsive to Request No. 7 are enclosed and designated with Bates Nos. MPU04977 through MPU04982 included in the electronic Question 7 folder submittal, however, documents produced in response to other requests may also be responsive to this request. For example, the SO₂, NO_x and CO pounds per million BTU data are provided with the deviation reports requested in question 4. Furthermore, MPU has already reported SO₂ mass data and NO_x rate data to EPA every quarter through ECMPS, nonetheless, the same data is submitted herein.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 7: Tom Reed, Red Jones, and Tim Harding.

8. *Provide the calculated monthly and 12-month average emission totals (tons) and supporting calculations from Process B09/C09/S10, the Circulating Fluidized Bed Boiler #9, as required by Permit Number 436035930-P23, for the following pollutants:*
- Particulate matter;*
 - SO₂ (if CEMS data not provide for Item 7, above);*
 - NO_x (if CEMS data not provide for Item 7, above);*
 - Lead; and*
 - Sulfuric acid mist.*

Response to Question No. 8:

MPU objects to Request No. 8 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 8 fails to define "calculated monthly," "12-month average emission totals," "supporting calculations," "particulate matter," "CEMS data," and "sulfuric acid mist." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

The document responsive to Request No. 8 is enclosed and designated with Bates Nos. MPU04983 included in the electronic Question 8 folder submittal, however documents produced in response to other requests may also be responsive to this request. For example the requested information is provided with the semiannual compliance certifications and deviation reports requested in question 4.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 8: Tom Reed, Red Jones, and Tim Harding.

9. *For Process B28/C28, S20, the Circulating Fluidized Bed Boiler #8, provide the following information from January 1, 2013 to January 1, 2015, in electronic excel format:*
- Provide CEMS data for the following pollutants, when applicable:*

- i. *SO₂ (pounds per million BTU heat input);*
- ii. *SO₂ (tons per month);*
- iii. *NOx (pounds per million BTU heat input);*
- iv. *NOx (tons per month);*
- v. *CO (pounds per hour);*
- vi. *CO (pounds per million BTU); and*
- vii. *CO (tons per month).*

Response to Question No. 9:

MPU objects to Request No. 9 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 9 fails to define "when applicable," and "CEMS data." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

Documents and other information responsive to Request No. 9 are enclosed and designated with Bates Nos. MPU04984 through MPU04989 included in the electronic Question 9 folder submittal, however, documents produced in response to other requests may also be responsive to this request. For example, the SO₂, NOx and CO pounds per million BTU data are provided with the deviation reports requested in question 4. Furthermore, MPU reports SO₂ mass data and NOx rate data to EPA every quarter through ECMPS, nonetheless, the same data is submitted herein.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 9: Tom Reed, Red Jones, and Tim Harding.

10. *Provide the calculated monthly and 12-month average emission totals (tons) from Process B28/C28, S20, the Circulating Fluidized Bed Boiler #8, as required by Permit Number 436035930-P23, for the following pollutants:*
- a. *Particulate matter;*
 - b. *SO₂ (if CEMS data not provide for Item 9, above);*
 - c. *NOx (if CEMS data not provide for Item 9, above);*
 - d. *Lead;*
 - e. *Volatile organic compounds; and*
 - f. *Sulfuric acid mist.*

Response to Question No. 10:

MPU objects to Request No. 10 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for

implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 10 fails to define “calculated monthly,” “12-month average emission totals,” “supporting calculations,” “particulate matter,” “CEMS data,” and “Sulfuric acid mist.” Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU’s internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

The document responsive to Request No. 10 is enclosed and designated with Bates Nos. MPU04990 included in the electronic Question 10 folder submittal, however documents produced in response to other requests may also be responsive to this request. For example the requested information is provided with the semiannual compliance certifications and deviation reports requested in question 4.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 10: Tom Reed, Red Jones, and Tim Harding.

11. *For Process P31/C31/S31, the North Ash Conveyor, provide the following information from January 1, 2013 to January 1, 2015 in an electronic format, where applicable:*
- a. *All dates and times the system was shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.F.1.b.5.*
 - b. *All corrective actions taken as a result of the system being shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.F.1.c.4.*

Response to Question No. 11:

MPU objects to Request No. 11 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA’s delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 11 fails to define “North Ash Conveyor,” “electronic format,” “where applicable,” “opacity monitoring system,” “shut down,” and “corrective actions.” Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU’s internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

The normal alignment is for the north ash silo exhaust to be recycled to boiler 8 with no stack discharge. The north ash silo was not shut down by the opacity monitoring system during this time period. Therefore, no corrective actions were taken as a result of the system being shut down by the opacity monitoring system.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 11: Tom Reed and Red Jones.

12. *For Process P32/C32/S32, the South Ash Conveyor, provide the following information from January 1, 2013 to January 1, 2015 in an electronic format, where applicable:*
- a. *All dates and times the system was shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition I.G.l.b.5.*
 - b. *All corrective actions taken as a result of the system being shut down by the opacity monitoring system, as specified in Permit Number 436035930-P23, Condition LF.l.c.4.*

Response to Question No. 12:

MPU objects to Request No. 12 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 12 fails to define "South Ash Conveyor," "electronic format," "where applicable," "shut down," "opacity monitoring system," and "corrective actions." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

The normal alignment is for the south ash silo exhaust is to be re-cycled to boiler 8 with no stack discharge. The south ash silo was not shut down by the opacity monitoring system during this time period. Therefore, no corrective actions were taken as a result of the system being shut down by the opacity monitoring system.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 12: Tom Reed and Red Jones.

13. *Provide a copy of the Fugitive Dust Plan required, by Permit Number 436035930-P23, Condition I.H.l.b.4, Condition I.N.l.b.3, and Condition I.O.l.b.2.*

Response to Question No. 13:

MPU objects to Request No. 13 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 13 fails to define "required" and "Fugitive Dust Plan". Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible

that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

Documents and other information responsive to Request No. 13 are enclosed and designated with Bates Nos. MPU04991 through MPU05006 included the electronic Question 13 folder submittal (however, documents produced in response to other requests may also be responsive to this request).

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 13: Tom Reed, Red Jones, and Tim Harding.

- 14. Provide copies of any visible emissions testing (Reference Method 9 or 22) conducted at the facility between January 1, 2013 and January 1, 2015, if not already include in Item 3.*

Response to Question No. 14:

MPU objects to Request No. 14 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 14 fails to define "any visible emissions testing," "conducted," and "facility." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

No visible emissions testing (Reference Method 9 or 22) were conducted at the facility between January 1, 2013 and January 1, 2015.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 14: Tom Reed, Red Jones, and Tim Harding.

- 15. Provide a complete facility-wide emissions calculation for the time period January 1, 2013 to January 1, 2015. Emissions calculations must follow any equations listed in Permit Number 436035930-P23 and be submitted in an electronic excel document.*

Response to Question No. 15:

MPU objects to Request No. 15 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 15 fails to define "complete," "facility-wide," "emissions," "Emissions calculations," "submitted," "any equations," and "electronic excel document." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with

MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

Documents and other information responsive to Request No. 15 are enclosed and designated with Bates Nos. MPU05007 through MPU05203 included the electronic Question 15 folder submittal (however, documents produced in response to other requests may also be responsive to this request). MPU has provided the WDNR Air Emission Inventory reports to reply to this request. Please note that these reports are not available in an excel format and "pdf" documents have been be provided.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 15: Tom Reed, Red Jones, and Tim Harding.

16. *Provide a list of any complaints MPU has received from neighbors between the time period January 1, 2013 and January 1, 2015. The list should include the date the complaint was received, description of the complaint, and any corrective action taken by MPU to address the complaint.*

Response to Question No. 16:

MPU objects to Request No. 16 on the grounds that it is overbroad, ambiguous and requests information already in the possession of EPA, the WDNR (EPA's delegated authority for implementing portions of the CAA in Wisconsin) and/or their respective legal representatives. Among other things, Request No. 16 fails to define "any complaints," "received," "neighbors," "address the complaint," and "corrective action." Subject to and without waiving its objections, MPU has made its best efforts to reasonably interpret these various terms in the absence of specific definitions in a manner consistent with MPU's internal practices and standard industry usage. Potentially responsive information may be contained in multiple documents and in multiple locations. Therefore, it may be possible that information responsive to this Request has not yet been located given the limited time provided for response and the review which has been conducted.

MPU is a public utility and as such receives complaints and even threats from our neighbors, the public we serve. The complaints reported below are related to environmental issues and MPU has not included complaints about high water and power bills, power quality, etc.

Date	Complaint Description	Corrective Action
February 7, 2014	Dust on cars at Lincoln High School	Issued 6 car wash tokens. There were no samples taken or testing performed of this dust.
May 23, 2014	Dirt on front porch	Tested samples and found no petroleum coke with the most abundant materials being limestone, dolomite and quartz. Dolomite and quartz are not related to

		MPU operations.
December 9, 2014	Dust on cars at Lincoln High School	Issued 11 car wash tokens. There were no samples taken or testing performed of this dust.

Documents and other information responsive to Request No. 16 are enclosed and designated with Bates Nos. MPU05204 through MPU05218 included the electronic Question 16 folder submittal.

The following MPU employees were either consulted or provided information that was used or considered in responding to Request No. 16: Tom Reed, Red Jones, and Mike Powalisz.

Certification

I certify under penalty of law that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to section 113(c)(2) of the Clean Air Act and 18 U.S.C. §§ 1001 and 1341.

MPU's production of information in response to the Request does not represent nor act as an admission by MPU that information taken from preexisting documents prepared by third parties that are beyond MPU's control are true, correct or accurate, nor does it act to authenticate such information for purposes of admissibility in any administrative or judicial proceeding.

If you have any questions or require additional information, please contact me.

Sincerely,



Nilaksh Kothari, P.E.
General Manager
Phone: 920-686-4351

Cc: Tom Reed – MPU
Red Jones – MPU
Don Duenkel – MPU
Scott Karbon – MPU
Todd Palmer, Esq., - Michael,
Best & Freidrich LP